



General Assembly

January Session, 2013

Amendment

LCO No. 6221

HB0638006221HD0

Offered by:

REP. MEGNA, 97th Dist.

SEN. CRISCO, 17th Dist.

To: Subst. House Bill No. 6380

File No. 290

Cal. No. 200

"AN ACT CONCERNING PROPERTY AND CASUALTY INSURANCE POLICIES."

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- 1 In line 4, after "items" insert "with material of like kind and quality"
 - 2 In line 6, strike "The insured shall not bear any cost over"
 - 3 Strike line 7 in its entirety
 - 4 In line 17, after "event" insert the following: "as declared by a
 - 5 nationally recognized catastrophe loss index provider"
 - 6 After the last section, add the following and renumber sections and
 - 7 internal references accordingly:
 - 8 "Sec. 501. Section 38a-724 of the general statutes is repealed and the
 - 9 following is substituted in lieu thereof (*Effective October 1, 2013*):
 - 10 (a) The use of an employment contract between a public adjuster
 - 11 and the insured shall be mandatory. [Such]

12 (1) Any such contract signed on or after October 1, 2013, shall
13 contain a provision, prominently displayed on the first page of such
14 contract in not less than twelve-point boldface type, specifying that the
15 insured may cancel the contract, provided such insured notifies the
16 public adjuster at such public adjuster's main office or branch office at
17 the address shown in the contract, by certified mail, return receipt
18 requested, posted not later than midnight of the [second] fourth
19 calendar day after the day on which the insured signs the contract,
20 except that if the signing is on a Friday, Saturday or Sunday, the
21 cancellation shall be posted not later than midnight of the [Tuesday]
22 Thursday immediately following, and thereafter the contract shall be
23 void ab initio.

24 (2) Any such contract signed on or after October 1, 2013, that does
25 not display the provision as specified in subdivision (1) of this
26 subsection shall be void ab initio.

27 (b) No public adjuster shall solicit an insured between the hours of
28 eight o'clock p.m. and eight o'clock a.m.

29 Sec. 502. Subsection (d) of section 38a-788 of the general statutes is
30 repealed and the following is substituted in lieu thereof (*Effective*
31 *October 1, 2013*):

32 (d) The commissioner may adopt such regulations in accordance
33 with the provisions of chapter 54, [as he deems necessary,] with
34 respect to the form and manner of filing of application for license as a
35 public adjuster and the issuance, suspension and revocation of such
36 licenses and the conduct of hearings in connection therewith, the
37 manner in which public adjusters shall conduct their business,
38 including limitations on fees [which] that may be charged [,] and the
39 form of the employment contract between a public adjuster and a
40 client. The use of such contract shall be mandatory. Such contract shall
41 contain [a] the provision [specifying that the client may cancel the
42 contract, provided he notifies the public adjuster at his main office or
43 branch office at the address shown in the contract, by certified mail,

44 return receipt requested, posted not later than midnight of the second
45 calendar day after the day on which the client signs the contract,
46 except that if the signing is on a Friday, Saturday or Sunday, the
47 cancellation shall be posted not later than midnight of the Tuesday
48 immediately following, and thereafter the contract shall be void ab
49 initio] specified in subsection (a) of section 38a-724, as amended by this
50 act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2013</i>	38a-724
Sec. 502	<i>October 1, 2013</i>	38a-788(d)